

Application No. 10/662,048
Amendment Dated January 12, 2006
Reply to the Office Action dated August 15, 2005

Remarks

Claims 1-16 of the application are pending.

Claims 5, 6 and 12-16 have been withdrawn from consideration.

Claims 1-4 and 7-11 are under Examination.

Claims 1-4 and 7-11 stand rejected.

Claims 1, 10 and 11 have been amended.

Claims 1-4 and 7-11 are hereby presented for review.

No new matter has been added.

Applicant conducted a telephonic interview with Examiner William Miller on January 10, 2006, the details of which are explained in more detail below.

In the Office Action, the Examiner has rejected claims 1-4 and 7-11 under 35 U.S.C. § 103(a) as being unpatentable over Ullman (U.S. Patent No. 1,672,355).

Applicant respectfully submits the following remarks in response.

The rejection in the Office Action states that the Ullman reference, although exhibiting a faceted disk, could be modified to read on the cylindrical disk as claimed in the present invention. Applicant notes that the present invention as claimed in all three independent claims 1, 10 and 11, calls for an arrangement where the message disk is cylindrical. During the interview conducted with the Examiner, Applicant indicated that Ullman does not teach or suggest a cylindrical disk because the disk in Ullman is

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intended to be removed from the ring and used a a single die or dice for gambling games and the like. In order to properly operate, a die or dice require faceted sides. Thus, Ullman teaches away form t a modification to a cylindrical disk. The Examiner indicated that he understood this argument and would consider modifying or removing the rejection based on Ullman accordingly.

Applicant separately amends independent claims 1, 10 and 11 in order to further clarify the scope of the present invention as claimed.

Additionally, during the telephonic interview, the Examiner cited some additional prior art for consideration. These three references are submitted concurrently in an Information Disclosure Statement. However, Applicant believes that the present invention is still patentable in view of the newly cited references.

In view of the forgoing, Applicant respectfully submits that the claims of the present invention are in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that an interview would facilitate the prosecution of this Application he is invited to contact the undersigned at the number listed below.

Respectfully submitted,

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